IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

WP(C).No. 37019 of 2007(F)

PETITIONER:

M/S RELIANCE COMMUNICATIONS LTD.,
RELIANCE INDIA MOBILE, MANGALAM TOWERS,
PALAKKAD, REPRESENTED BY AUTHORISED OFFICER
MR. V.K.SAJITH, S/O PURUSHOTHAMAN, AGED 34 YEARS.

BY ADV. SRI.GEORGE CHERIAN
SRI.R.SREERAJ

RESPONDENTS:

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1. MR. RAM ASRAY SINGH,
S/O LATE RAM BALI SINGH,
S-331, SAHYADRI COLONY, CHANDRANAGAR,
PALAKKAD-7.

2. TAHSILDAR(RR), PALAKKAD.

3. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY, DEPARTMENT OF REVENUE,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J

W.P.(C).37019/2007

Dated this the 14th day of December, 2007

JUDGMENT

First respondent herein approached the District Consumer Disputes Redressal Forum, Palakkad, with a complaint. An order was passed on 25.5.2007 directing the petitioner herein, the opposite party, to pay to the complainant an amount of Rs.10,000/- as compensation with Rs.500/- as cost. Apparently the order was received by a representative of the petitioner herein. It seems that the said employee had not taken action in time and apparently criminal proceedings have been initiated against him before Palakkad Town South Police Station. Thereafter Ext.P1 order has been challenged in appeal before the State Commission along with a petition for condonation of delay. Petitioner submits that half of the amount, directed to be deposited, has already been deposited before the State Commission. Proceedings under the Revenue Recovery Act were initiated in the meanwhile for recovering the amount ordered to be paid. Hence this writ petition.

2. In my view, petitioner has an efficacious alternate remedy against Ext.P1 order. It is upto the petitioner to seek appropriate orders from the State Commission. Writ petition, under such circumstances, is misconceived.

3. Taking note of the fact that the petitioner has already approached the State Commission and further taking note of the fact that the petitioner has deposited 50% of the amount awarded, before the State Commission, I direct that enforcement of Ext.P6 proceedings shall be kept in abeyance for a period of four weeks from today. It is upto to the petitioner to move the State Commission for appropriate orders.

Writ petition is disposed of as above.

V.GIRI,
Judge

mrcs